

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>STATE FARM FIRE AND CASUALTY COMPANY</b>	: : : : : :	<b>CIVIL ACTION</b>  <b>NO. 22-190</b>
<b>v.</b>		
<b>CATHERINE RUFFENACH, et al</b>		


**ORDER**

**AND NOW**, this 4<sup>th</sup> day of April 2022, upon considering Plaintiff's Motion for judgment on the pleadings (ECF Doc. No. 15), Defendant Catherine Ruffenach's Opposition (ECF Doc. No. 22), Plaintiff's Reply (ECF Doc. No. 23), mindful of the present default in response by Defendant Gerard Ruffenach resulting in him no longer receiving service from the Clerk of Court, and for reasons in the accompanying Memorandum, it is **ORDERED** Plaintiff's Motion for judgment on the pleadings (ECF Doc. No. 15) is **GRANTED** requiring:

1. We enter **JUDGMENT** in favor of State Farm Fire and Casualty Company against Catherine Ruffenach;
2. We **DECLARE** State Farm Fire and Casualty Company need not defend or indemnify Catherine Ruffenach in the Philadelphia Court of Common Pleas lawsuits attached to the Complaint (ECF Doc. No. 1) captioned *Jane Doe, et al. v. Hand and Stone Franchise Corp., et al.*, No. 190804964 (Phila. Cnty. Ct. Com. Pl. Oct. 17, 2019); *Jane Doe v. Hand and Stone Franchise Corp., et al.*, No. 190903709 (Phila. Cnty. Ct. Com. Pl. Nov. 13, 2019); and *Jane Doe v. Hand and Stone Franchise Corp., et al.*, No. 190903709 (Phila. Cnty. Ct. Com. Pl. Nov. 13, 2019);
3. Plaintiff shall, by **April 8, 2022**, either: voluntarily dismiss its claim for declaratory relief against Gerard Ruffenach in reliance upon Paragraph 1 of this Order as to Catherine

Ruffenach; move for default judgment against Gerard Ruffenach; or **show cause** in a Memorandum not exceeding five pages as to why we should not enter judgment against Gerard Ruffenach; and,

4. Plaintiff shall serve this Order and accompanying Memorandum upon Gerard Ruffenach no later than **April 6, 2022** and file a certificate of service confirming compliance with this Order no later than **April 8, 2022** and shall thereafter effect separate certified mail or hand delivery service of its additional filings upon Gerard Ruffenach until final judgment.

  
**KEARNEY, J.**